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PART-IIA

GOVERNMENT OF MEGHALAYA ORDERS BY THE GOVERNOR

NOTIFICATIONS

The 28th September, 2015.

No.PA.15/94/557. - In exercise of the powers conferred by Section 6 and 7 of the Legislative Assembly of Meghalaya (Members' Salaries and Allowance) Act, 1972, the Governor of Meghalaya is please to make rules to amend the Legislative Assembly of the Meghalaya (Members' Salaries and Allowance) Rules, 1972 as follows: -

1. **Short title and commencement.** – (1) These rules shall be called the Legislative Assembly of Meghalaya (Members' Salaries and Allowance) (Amendment) Rules, 2015.

(2) These shall come into force from the date of notification in the Official Gazette.
2. **Addition of new Rule 5A.** – After the existing rules 5 of the Meghalaya (Members' Salaries and Allowance) Rules, 1972 the following new rule 5A shall be added, namely, -
“ 5A. Hotel reimbursement bill in connection to official tour on official duties outside the State by any MLA .- In case the MLA is on official tour outside the State and if accommodation is not provided, a certificate to that effect should be obtained from the concerned Assembly Secretariat. The MLA will be eligible for hotel reimbursement subject to production of vouchers and a ceiling of rupees five thousand per day. ” .

L. M. SANGMA,
Special Secretary to the Govt. of Meghalaya,
Parliamentary Affairs Department.

The 29th September, 2015.

OFFICE MEMORANDUM

No.PA.15/94/558.— In supersession of the earlier O. M. No. PA. 15/94/427 dated 03.03.2010 and in pursuance of Section 2A of the Legislative Assembly of Meghalaya (Speaker and Deputy Speaker Salaries and Allowances) Act, 1972, Section 2A of the Meghalaya (Minister's Salaries and Allowances) Act, 1972, Clause (ee) of Section 4 of the Legislative Assembly of Meghalaya (Members' Salaries and Allowances) Act, 1972, Section 2A of the Meghalaya Legislative Assembly (Leader of the Opposition) (Salary and Allowance) Act, 1983 and Section 6A of the Meghalaya Parliamentary Secretary (Appointment, Salaries, Allowances and Miscellaneous Provisions) Act, 2005 as amended by the Meghalaya Legislator's Salaries and Allowances Amendment Act, 2010 (Act No.5 of 2010), the Governor of Meghalaya is pleased to notify the rate for grant of Constituency Allowance to Chief Minister, Deputy Chief Ministers, Ministers, Ministers of State, Parliamentary Secretaries, Speaker, Deputy Speaker, Leader of Opposition and Members of the Meghalaya Legislative Assembly (MLAs) at Rs. 41,000/- (rupees fortyone thousand) only per month.

This O.M. shall be deemed to take effect from 01.10.2015.

L. M. SANGMA,

Special Secretary to the Govt. of Meghalaya,
Parliamentary Affairs Department.

The 28th September, 2015.

No. LBG. 7/2002/663 : In exercise of the powers conferred by Section 112 of the Factories Act, 1948 (Act No. 63 of 1948), the Governor of Meghalaya proposes to make the following amendment to the Meghalaya Factories Rules, 1980. All persons likely to be affected thereby may offer their comments, objections or suggestions if any, within forty-five (45) days from the date of publication in the official Gazette. This notice is issued under Section 115 of the Factories Act, 1948.

THE MEGHALAYA FACTORIES (1ST AMENDMENT) RULES 2014.

1. Short title and commencement :-

- (i) These rules may be called the “Meghalaya Factories (1st Amendment) Rules, 2014.
- (ii) They shall come into force from the date of their publication in the official Gazette.

2. Amendment to Schedule XIII under Rule 116 of the Meghalaya Factories Rule, 1980 (thereinafter referred to as the “said rules”).

The Schedule XIII appended to rule 116 of the said Rules, shall be substituted by the following Schedule namely :-

SCHEDULE XIII :- “Manipulation of Stone or any other material containing free silica”.

The following manufacturing process shall be considered as manipulation of stone or other material containing free silica.

- 1. Stone Crushers
- 2. Gem and Jewellery
- 3. Slate Pencil Making
- 4. Agate Industry
- 5. Cement Industry
- 6. Pottery
- 7. Glass Manufacturing

1. Application - This schedule shall apply to all factories or parts of factories in which the above said manufacturing activity containing free silica is carried on.

2. Definitions - For the purpose of this Schedule :-

- a) “manipulation” means crushing, breaking, chipping, dressing, grinding, sieving, mixing, grading or handling of stone or any other material containing free silica or any other operation involving such stone or material.
- b) “stone or any other material containing free silica” means a stone or any other solid material containing not less than 5% by weight of free silica.

3. Preventive Control Measures :

No manipulation shall be carried out in a factory or part of a factory unless the following preventive control measures are adopted, namely :-

3(I) Engineering Control Measures

(1) Wet Methods :

- a) Airborne Silica Dust should be minimized or suppressed by applying water to the process or clean up;
- b) Water should be provided for drilling or sawing of concrete or masonry;

(2) Ventilation :

- a) An effective Local exhaust system should be provided and maintained to control/remove silica dust from industrial processes.
- b) Dilution/ventilation may be used to reduce free silica dust concentration to below the permissible limits in large areas.
- c) Dust collectors/HEPA filter should be set up so that dust shall be removed from the source and all transfer points to prevent contaminating work areas.
- d) Ventilation systems should be kept in good working conditions.

(3) Isolation :

- a) Containment methods should be used while carrying out sand blasting.
- b) Cabins of vehicles or machinery cutting & drilling that might contain free silica should be enclosed and sealed.

(4) Dust Control :

- a) Vacuum System with High Efficiency Particle Air (HEPA) filter shall be used to remove dust from work areas and at all transfer points.
- b) The belt conveyors transferring crushed material shall be totally enclosed throughout its length.

Provided that such control measures as above said are not necessary if the process or operation itself is such that the level of dust created and prevailing does not exceed the permissible limit of exposure specified in the Second Schedule of the Act.

3(II) Medical Control Measures

- (1) The occupier of every factory in which a worker employed in the processes specified in Sub Rule 1, shall ensure that every worker employed be examined by a Medical Inspector of Factories/Certifying Surgeon within 15 days of his first employment. Such medical examination shall include pulmonary function test and chest X-Ray-Posterior Anterior (PA) view to be compared with standard ILO Radiographs on Pneumoconiosis. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Certifying Surgeon.
- (2) Every worker employed in the said processes shall be re-examined by a Certifying Surgeon at least once in every twelve months. Such re-examination shall, wherever the Certifying Surgeon considers appropriate, include all the tests as specified in sub-paragraph (1) except chest X-Ray Which shall be read by a radiologist specialized/trained in the field of reading ILO Radiographs on Pneumoconiosis and the chest x-ray which shall be carried out at least once in 3 years.

- (3) Every worker employed in any of the aforesaid processes on the date on which the schedule comes into force shall be radiological examined by the qualified Radiologist at the cost of the occupier using a standard size x-ray plates and the power of the X-Ray machine shall be more than 300 milli ampere (mA). The report of such X-Ray shall be submitted to the Medical Inspector of Factories/Certifying Surgeon/Chief Inspector for within three months of the said date.
- (4) If at anytime the Medical Inspector of Factories/Certifying Surgeon is of the opinion that a worker is no longer fit for employment in the said process on the ground that continuance therein would involve special danger to the health of the worker he shall make a record of his findings in the said Certificate and the health register. The entry of his findings in these documents should also include the period for which he considers that the said person is unfit for work in the said processes. The person so suspended from the process shall be provided with alternate placement facilities unless he fully is incapacitated in the opinion of the Certifying Surgeon, in which case the person affected shall be suitably rehabilitated.
- (5) No person who has been found unfit to work as said in sub-paragraph (4) above shall be re-employed or permitted to work in the said processes unless Certifying Surgeon, after further examination, again certifies him fit for employment in those processes.
- (6) If a worker already in employment and declared unfit by the Medical Inspector of Factories/Certifying Surgeon shall not be allowed to work on any of the processes specified in sub rule 1, unless he has been examined again along with standard size chest x-ray plate from a qualified Radiologist, at the cost of the occupier and has been certified to be fit to work on the said processes again.
- (7) For the purpose of medical supervision by the medical practitioner/certifying surgeon so appointed by the occupier shall be provided for his exclusive use a room in the factory premises which shall be properly cleaned, adequately lighted ventilated and furnished with a screen, a table with office stationery, chairs and other facilities and other instruments including x-ray arrangements for such examinations and such other equipments as may be prescribed by the Chief Inspector for time to time. The medical practitioner so appointed shall perform the following duties.
 - a) Maintain health register;
 - b) Undertake medical supervision of persons employed in the factory;
 - c) Look after health, education and rehabilitation of sick, injured or affected workers;
 - d) Carry out inspection of work rooms where dangerous operations are carried out and advise the management of the measures to be adopted for the protection of health of the workers employed therein.
- (8) The Health Records of the workers exposed to silicosis, shall be kept up to a minimum period of 40 years from the beginning of the employment or 15 years after retirement or cessation of the employment whichever is later and shall be accessible to workers concerned or their representatives.
- (9) The record of medical examinations and appropriate tests carried out by the said medical practitioner a certificate of fitness and health shall be maintained in separate register approved by the Chief Inspector of Factories, which shall be kept readily available for inspection by the Inspector and produce on demand.

3(III) Administrative Control Measures

- (1) **Work place/Environment Monitoring** : The occupier to ensure work place/environment monitoring to be performed to determine magnitude of exposure/concentration to evaluate engineering controls, selecting respiratory protection, work practices and the need for medical surveillance.
 - (a) Exposure concentration measurements should be made in the employee's actual breathing zone.
 - (b) Total sampling time shall be at least 7 hours.
 - (c) Work place/environment monitoring shall be repeated quarterly.
 - (d) The report of dust sampling by occupier shall be made available to the public.
- (2) **Training/Awareness** : Workers shall be trained in the following :-
 - (a) Health effects of free silica dust exposure.
 - (b) Operations and material that produce free silica dust hazards.
 - (c) Engineering controls and work practice controls that reduce dust concentration.
 - (d) The importance of good housekeeping and cleanliness.
 - (e) Proper use of personal protective equipment such as respirators etc.
 - (f) Personal hygiene practices to reduce exposure.
- (3) **House Keeping : Maintenance of floors –**
 - a) All floor or places where fine dust is likely to settle on and whereon any person has to work or pass shall be of impervious material and maintained in such condition that they can be thoroughly cleaned by a moist method of any other method which would prevent dust being airborne in the process of cleaning once at least during each shift.
 - b) For this purpose dry sweeping or compressed air shall be used for cleanup of dust or wet methods or vacuum system with a HEPA filter shall be used.
 - c) Dust on over head ledges and equipment should be removed before it becomes air borne due to vibration, traffic and random air current.
- (4) **Change room and washing facilities :**
 - a) Washing and bathing facilities shall be conveniently located at a place easily accessible to the workers.
 - b) Cloak room with individual lockers shall be provided for employees to store uncontaminated clothing.
 - c) Workers shall take bath and change the work clothes before they leave the work site.
 - d) Work clothes shall not be cleaned by blowing or shaking.
 - e) Eating/lunch areas shall be located away from exposed areas.
- (5) **Display of Notices :-**
 - a) Warning signs/posters shall be displaced conspicuously in a prominent place.
 - b) The warning signs/poster shall contain the Hazards and precautions to be taken.
 - c) The display of notice shall be in the local language and also in the language understood by the majority of the workers.

(6) Personal Protective Equipment :

The occupier of every factory to which this schedule apply shall provide the following PPEs as per relevant National Standards or International Standards and as applicable to a given work place.

- a) Dust respirator.
- b) HEPA filter respirator or fume respirator.
- c) HEPA filter respirator with full face piece.
- d) Self contained breathing apparatus (SCBA).
- e) Supplied air respirator with a full face piece, helmet or hood.
- f) SCBA with full face piece.
- g) Powered air purifying respirator with a HEPA filter.

4 Prohibition relating young person's : No young person shall be employed or permitted to work in any of the operations involving manipulation or at any place where such operations are carried out.

5 Exemptions - If in respect of any factory, the Chief Inspector is satisfied that owing to the exceptional circumstances or for any other reason, all or any of the provisions of this schedule is not necessary for protection of the workers in the factory, the Chief Inspector may by a certificate in writing, which he may in his discretion revoke at any time, exempt such factory from all or any of such provisions subject to such conditions, if any, as he may specify therein.

M. S. RAO,

Principal Secretary to the Govt. of Meghalaya,
Labour Department.

The 1st October, 2015.

No. LBG.55/2005/167 - The following draft to amend the Meghalaya Contract Labour (Regulation and Abolition) Rules (Assam Rules of 1971 as adapted by Meghalaya), hereinafter referred to as Principal Rules which the Government of Meghalaya propose to issue in exercise of the powers conferred by Section 35 of the Contract Labour (Regulation and Abolition) Act, 1970 (Act No. 37 of 1970). Notice is hereby given that the said Draft Rules will be taken into consideration by the Government after a period of 60 days from the date of publication of this Notification in the Official Gazette.

Any objection or suggestion which may be received from any person with respect to the said draft Rules, within the period specified above will be duly considered by the State Government.

PROPOSED AMENDMENT

1. **Short title and commencement** – (1) These rules may be called the Meghalaya Contract Labour (Regulation and Abolition) (First Amendment) Rules, 2015.
(2) They shall come into force on the date of publication in the official Gazette.
2. **Amendment of Rule 24** : For Rule 24, the following Rules shall be substituted, namely –

“ 24, Security – (1) Before a license is issued, an amount calculated at the rate of Rs. 60 for each of the workman to be employed as contract labour, in respect of which the application for license has been made, shall be deposited by the contractor for due performance of the conditions of the license and compliance with the provisions of the Act or the rules made there under :

Provided that where the contractor is a co-operative society, the amount deposited as security shall be at the rate of Rs. 30 for each other of the workmen to be employed as a contract labour.

(2.) Where the applicant for the license was holding a license in regard to another work and that licenses has expired, the Licensing Officer if he is of the view that any amount out of the security deposited in respect of that license is to be directed to be refunded to the applicant under Rule 31, may, on an application made for that purpose in Form V-A by the applicant, adjust the amount so to be refunded towards the security required to be deposited in respect of the application for the new license and the applicant need deposit, in such a case, only the balance amount, if any, after making such adjustment.

(3) The amount of security deposit shall be paid in the local treasury under the Head of Account “ 0230-Labour & Employment-106-Fees under Contract Labour (Regulation and Abolition) Rules 1971, (Volume I) – (06)-Deduct/Refunds.”

3. **Amendment of Rule 26 – Fees** : For Rule 26, the following Rules shall be substituted, namely:-

“**26, FEES : (1)** The fees to be paid for the grant of a certificate of registration under Section 7 shall be as specified below :-

If the number of workmen proposed to be employed on contract on any day-

(a) is 20	Rs. 200
(b) exceeds 20 but does not exceed 50..		Rs. 500
(c) exceeds 50 but does not exceed 100..		Rs. 1000
(d) exceeds 100 but does not exceed 200..		Rs. 2000
(e) exceeds 200 but does not exceed 400..		Rs. 4000
(f) exceeds 400		.. Rs. 5000

(2) The fees to be paid for the grant of a licence under section 12 shall be as specified below :-

If the number of workmen employed by the contractor on any day-

(a) is 20	Rs. 50
(b) exceeds 20 but does not exceed 50 ...		Rs. 150
(c) exceeds 50 but does not exceed 100...		Rs. 250
(d) exceeds 100 but does not exceed 200..		Rs. 500
(e) exceeds 200 but does not exceed 400..		Rs.1000
(f) exceeds 400	...	Rs.1500

4. **Amendment of Rule 30 – Issue of duplicate certificate of registration or licence** :- For the words of “rupees five” appearing in the last line, “rupees fifty” shall be substituted.

5. **Amendment of Rule 32 – Grant of Temporary Certificate of Registration and Licence** :-

In Sub-rules 6 and 7 of Rule 32, the following Sub-rules shall be substituted, namely :

(6) The fees to be paid for the grant of the certificate of registration under sub rule (3) shall be as specified below :

If the number of workmen proposed to be employed on contract on any day-

(a) exceeds 20 but does not exceed 50	..	Rs. 100.00
(b) exceeds 50 but does not exceed 200	..	Rs. 200.00
(c) exceeds 200		Rs. 300.00

(7) The fees to be paid for the grant of a licence under sub-rule (3) shall be as specified below :

If the number of workmen to be employed by the contractor on any day

(a) exceeds 20 but does not exceed 50	...	Rs. 50.00
(b) exceeds 50 but does not exceed 200	..	Rs.200.00
(c) exceeds 200	Rs.300.00

6. Amendment of Rule 38 – Payment of Fees.

For Rule 38, the following Rule shall be substituted, namely :-

“38-Payment of fees - Unless otherwise provided in these rules all fees to be paid under these rules shall be paid in the local treasury under the relevant head of account“0230-Labour & Employment-106-Fees under Contract Labour (Regulation & Abolition) Rules and a receipt obtained which shall be submitted with the application or the memorandum of appeal as the case may be.”

FORM V-A [See Rule 24(2)] Application for adjustment of Security Deposit

Name and address of the Contractor	No. and date of license	Date of expiry of previous license	Whether the license of the contractor was suspended or revoked.
1	2	3	4

No. and date of the treasury challan of security deposit in respect of the previous license	Amount of previous Security deposit	No. and date of the treasury challan of the balance of security deposits, if any, required on the fresh contract	No. and date of certificate of registration of the establishments in relation to which the new license is applied for	Name and address of the Principal Employer
5	6	7	8	9

Particulars of fresh contract	Remarks
10	11.

M. S. RAO,
Principal Secretary to the Govt. of Meghalaya,
Labour Department.

The 5th October, 2015.

No.LBG.18/88/148.—In exercise of the powers conferred upon under Section 14 of the Meghalaya Shops & Establishment Act, 2004 and Section 52 of the Factories Act, 1948, the Governor of Meghalaya is pleased to declare **12th October, 2015, a paid holiday** to all Public/Private Commercial and Industrial Enterprise etc., (including Shops & Factories) falling under the Garo Hills Autonomous District Council to enable the voters of the aforesaid District Council Constituencies to exercise their franchise.

N. R. MARAK,

Deputy Secretary to the Govt. of Meghalaya,
Labour Department.

The 8th October, 2015.

CORRIGENDUM

No.DIR/PTG/R&D-18/2000-01/Pt.1/43.—Please read **S. G. ESMATUR MOMININ** instead of **S. G. ESMATUR MOMIN** of **19-Shyamnagar** Garo Hills Autonomous District Council Constituency and **THOMSON MARAK** instead of **THOMSON** of **23-Rongrong** Garo Hills Autonomous District Council Constituency which appeared in Gazette Extraordinary No. 124, page No. 761 at Sl. No. 2 and page 764 at Sl. No. 3 respectively in the list of Contesting Candidates to the Garo Hills Autonomous District Council, 2015.

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